

**REMARKS / ARGUMENTS****1. Request for Continued Examination**

- 5 The applicants respectfully requests continued examination of the above-indicated application as per 37 CFR 1.114.

**2. Amendments to the Specification**

- 10 The typographical errors in paragraphs [0006], [0009], [0015], [0016], and [0044] have been corrected. No new matter is introduced by these corrections. Consideration of these amendments is respectfully requested.

**3. Amendments to the Claims**

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Claim 5 is amended to correct a typographical error.

Claim 6 is amended to correct the tense, and this amendment is fully supported by the specification in paragraph [0044].

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New claim 13 is entered by combining some limitations of claim 1 with the limitation "during a data write-in operation, if a spare block assigned to store data originally to be written in the specific data block is found defective, setting the second entry storing the address of a specific data block as a defective entry, and then storing the second entry to the first memory area without performing a sorting operation" that is fully supported by the specification in paragraph [0045].

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No new matter is introduced. Consideration of these amendments is respectfully requested.

**4. Claim Rejections**

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**Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by the applicants' admitted prior art.**

**Regarding claim 1, the initial order of the first memory areas is preserved all  
5 throughout.**

**Response:**

Applicants respectfully disagree. The initial order of the first memory areas is not  
10 preserved all throughout as Examiner cites using segments labeled "U, DN6, AN6"  
through "U, DN12, AN12" as illustrated in Figs. 4A - 4C. Please note that the first  
memory areas are part of the defect table, DTB(n), as shown in Figs. 4A - 4C. Fig. 4A  
shows the first entry of defect table DTB(n) is "U, DN6, AN6". Fig. 4B shows the first  
entry of defect table DTB(n) is unchanged as "U, DN6, AN6". The basis of this response  
15 is shown in Fig. 4C where the first entry of defect table DTB(n) does change from the  
earlier entry "U, DN6, AN6" to the changed entry of "U, DN5, AN13" therefore the initial  
order of the first memory areas are not preserved throughout.

Since the applicants' admitted prior art fails to teach or suggest the claimed feature  
20 "during a data write-in operation, preserving an initial order of the first memory areas  
in the memory when the address of the first data block is stored into the second  
memory area", applicants believe that claim 1 has been placed in condition for  
allowance. Claims 2-8 are dependent on claim 1, and should be allowed if claim 1 is  
found allowable.

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**Claims 1, 9 & 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Bish et  
al. (US 5,235,585).**

30 **Response:**

**Claim 1**

As taught by Bish's disclosure, **the secondary defects are located when data is written to the optical disk** (col. 6, lines 18-20), and entries of the replacement sector list (defect table) are **sorted in ascending order each time a new entry is added** (col. 6, lines 27-30). Therefore, Bish teaches adjusting an initial order of the replacement sector list (defect table) when a new replacement sector is added during data write-in. Therefore, Bish et al. fails to teach or suggest the claimed feature: "during a data write-in operation, preserving an initial order of the first memory areas in the memory when the address of the first data block is stored into the second memory area".

Claim 1 overcomes the rejection under 35 USC 102(a) in view of teachings of Bish et al. Reconsideration of claim 1 is respectfully requested. Claims 2 through 8 are dependent on claim 1, and should be allowable if claim 1 is found allowable.

**Claim 9**

As taught by Bish's disclosure, if the drive is powered on with the optical disk installed, an initialization process will copy the defect management tables into the SRAM (col. 7, lines 10-13). In addition, Bish teaches the SRAM is updated to reflect each found secondary defect (col. 7, lines 15-16). Therefore, the term initialization means copying the initial defect management table into the SRAM before any defect on the optical disk is found. In other words, **any operations performed at initialization are acting on the initial defect management table, for example, the replacement sector list**. Thus, Bish teaches sorting the **initial** replacement sector list read from the optical disk at initialization, and storing a **sorted initial** replacement sector list in the SRAM. **The sorting at initialization is for entries of the initial replacement sector list; not the new entries created due to the secondary defects found on the optical disk when writing data to the optical disk**. Applicants deem that examiner has misinterpreted use of the word "initialization" as recited in Bish's teachings.

In addition, as taught by Bish's disclosure, the secondary defects are located when data is written to the optical disk (col. 6, lines 18-20) and each time a secondary defect is located, the SDL will be updated to reflect the addition (col. 7, lines 13-15). Therefore, Bish teaches updating the defect table during data write-in operation.

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In short, Bish fails to teach or suggest the claimed feature **"when the optical disc drive stops writing data onto the optical disc, sorting the addresses both of the first data block and the second data block according to the sorting order of the defect table stored in the first memory area, and updating the defect table according to the sorted address stored in the memory."**

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The claim 9 overcomes the rejection under 35 USC 102(a) in view of teachings of Bish et al. Reconsideration of claim 9 is respectfully requested. Claim 10 is dependent on claim 9, and should be allowable if claim 9 is found allowable.

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#### **Claim 11**

Applicants' respectfully disagree for at least the same reasons as cited in the response regarding the rejection of claim 9 under 35 U.S.C. 102(b) that precede this response.

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Since Bish fails to teach or suggest the claimed feature **"when the optical disc drive stops writing data onto the optical disc, combining the addresses of the defect table stored in the first memory area with the addresses stored in the second memory area so as to update the defect table, and writing the updated defect table in the optical disc"**, the claim 11 overcomes the rejection under 35 USC 102(a).

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Reconsideration of claim 11 is respectfully requested. Claim 12 is dependent on claim 11, and should be allowable if claim 11 is found allowable.

#### **5. Patentability of New Claim**

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New claim 13 claims a feature of managing a defective entry when a corresponding spare block assigned to storing data originally to be written in a specific data block is

found defective. This claimed feature is neither taught nor suggested by Bish's teachings. Therefore, applicants believe that new claim 13 has placed in condition for allowance. Consideration of new claim 13 is respectfully requested.

- 5 Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Sincerely yours,

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Winston Hsu, Patent Agent No. 41,526

P.O. BOX 506, Merrifield, VA 22116, U.S.A.

Voice Mail: 302-729-1562

- 15 Facsimile: 806-498-6673

e-mail : winstonhsu@naipo.com

Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)

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